

(b) *Airplanes manufactured on or before March 29, 2002.* Except as provided in paragraph (d) of this section, no person may operate a turbine-powered U.S.-registered airplane configured with six or more passenger seats, excluding any pilot seat, after March 29, 2005, unless that airplane is equipped with an approved terrain awareness and warning system that as a minimum meets the requirements for Class B equipment in Technical Standard Order (TSO)–C151.

(Approved by the Office of Management and Budget under control number 2120–0631)

(c) *Airplane Flight Manual.* The Airplane Flight Manual shall contain appropriate procedures for—

(1) The use of the terrain awareness and warning system; and

(2) Proper flight crew reaction in response to the terrain awareness and warning system audio and visual warnings.

(d) *Exceptions.* Paragraphs (a) and (b) of this section do not apply to—

(1) Parachuting operations when conducted entirely within a 50 nautical mile radius of the airport from which such local flight operations began.

(2) Firefighting operations.

(3) Flight operations when incident to the aerial application of chemicals and other substances.

[Doc. No. 29312, 65 FR 16755, Mar. 29, 2000]

§ 91.225 Automatic Dependent Surveillance-Broadcast (ADS-B) Out equipment and use.

(a) After January 1, 2020, and unless otherwise authorized by ATC, no person may operate an aircraft in Class A airspace unless the aircraft has equipment installed that—

(1) Meets the requirements in TSO–C166b, Extended Squitter Automatic Dependent Surveillance-Broadcast (ADS-B) and Traffic Information Service-Broadcast (TIS-B) Equipment Operating on the Radio Frequency of 1090 Megahertz (MHz); and

(2) Meets the requirements of § 91.227.

(b) After January 1, 2020, and unless otherwise authorized by ATC, no person may operate an aircraft below 18,000 feet MSL and in airspace described in paragraph (d) of this section unless the aircraft has equipment installed that—

(1) Meets the requirements in—

(i) TSO–C166b; or

(ii) TSO–C154c, Universal Access Transceiver (UAT) Automatic Dependent Surveillance-Broadcast (ADS-B) Equipment Operating on the Frequency of 978 MHz;

(2) Meets the requirements of § 91.227.

(c) Operators with equipment installed with an approved deviation under § 21.618 of this chapter also are in compliance with this section.

(d) After January 1, 2020, and unless otherwise authorized by ATC, no person may operate an aircraft in the following airspace unless the aircraft has equipment installed that meets the requirements in paragraph (b) of this section:

(1) Class B and Class C airspace areas;

(2) Except as provided for in paragraph (e) of this section, within 30 nautical miles of an airport listed in appendix D, section 1 to this part from the surface upward to 10,000 feet MSL;

(3) Above the ceiling and within the lateral boundaries of a Class B or Class C airspace area designated for an airport upward to 10,000 feet MSL;

(4) Except as provided in paragraph (e) of this section, Class E airspace within the 48 contiguous states and the District of Columbia at and above 10,000 feet MSL, excluding the airspace at and below 2,500 feet above the surface; and

(5) Class E airspace at and above 3,000 feet MSL over the Gulf of Mexico from the coastline of the United States out to 12 nautical miles.

(e) The requirements of paragraph (b) of this section do not apply to any aircraft that was not originally certificated with an electrical system, or that has not subsequently been certificated with such a system installed, including balloons and gliders. These aircraft may conduct operations without ADS-B Out in the airspace specified in paragraphs (d)(2) and (d)(4) of this section. Operations authorized by this section must be conducted—

(1) Outside any Class B or Class C airspace area; and

(2) Below the altitude of the ceiling of a Class B or Class C airspace area designated for an airport, or 10,000 feet MSL, whichever is lower.

(f) Each person operating an aircraft equipped with ADS-B Out must operate this equipment in the transmit mode at all times.

(g) Requests for ATC authorized deviations from the requirements of this section must be made to the ATC facility having jurisdiction over the concerned airspace within the time periods specified as follows:

(1) For operation of an aircraft with an inoperative ADS-B Out, to the airport of ultimate destination, including any intermediate stops, or to proceed to a place where suitable repairs can be made or both, the request may be made at any time.

(2) For operation of an aircraft that is not equipped with ADS-B Out, the request must be made at least 1 hour before the proposed operation.

(h) The standards required in this section are incorporated by reference with the approval of the Director of the Office of the Federal Register under 5 U.S.C. 552(a) and 1 CFR part 51. All approved materials are available for inspection at the FAA's Office of Rule-making (ARM-1), 800 Independence Avenue, SW., Washington, DC 20590 (telephone 202-267-9677), or at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202-741-6030, or go to http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html. This material is also available from the sources indicated in paragraphs (h)(1) and (h)(2) of this section.

(1) Copies of Technical Standard Order (TSO)-C166b, Extended Squitter Automatic Dependent Surveillance-Broadcast (ADS-B) and Traffic Information Service-Broadcast (TIS-B) Equipment Operating on the Radio Frequency of 1090 Megahertz (MHz) (December 2, 2009) and TSO-C154c, Universal Access Transceiver (UAT) Automatic Dependent Surveillance-Broadcast (ADS-B) Equipment Operating on the Frequency of 978 MHz (December 2, 2009) may be obtained from the U.S. Department of Transportation, Subsequent Distribution Office, DOT Warehouse M30, Ardmore East Business Center, 3341 Q 75th Avenue, Landover, MD 20785; telephone (301) 322-5377. Copies of

TSO -C166B and TSO-C154c are also available on the FAA's Web site, at http://www.faa.gov/aircraft/air_cert/design_approvals/tso/. Select the link "Search Technical Standard Orders."

(2) Copies of Section 2, Equipment Performance Requirements and Test Procedures, of RTCA DO-260B, Minimum Operational Performance Standards for 1090 MHz Extended Squitter Automatic Dependent Surveillance-Broadcast (ADS-B) and Traffic Information Services-Broadcast (TIS-B), December 2, 2009 (referenced in TSO-C166b) and Section 2, Equipment Performance Requirements and Test Procedures, of RTCA DO-282B, Minimum Operational Performance Standards for Universal Access Transceiver (UAT) Automatic Dependent Surveillance-Broadcast (ADS-B), December 2, 2009 (referenced in TSO C-154c) may be obtained from RTCA, Inc., 1828 L Street, NW., Suite 805, Washington, DC 20036-5133, telephone 202-833-9339. Copies of RTCA DO-260B and RTCA DO-282B are also available on RTCA Inc.'s Web site, at <http://www.rtca.org/onlinecart/allproducts.cfm>.

[Doc. No. FAA-2007-29305, 75 FR 30193, May 28, 2010; Amdt. 91-314-A, 75 FR 37712, June 30, 2010; Amdt. 91-316, 75 FR 37712, June 30, 2010]

§ 91.227 Automatic Dependent Surveillance-Broadcast (ADS-B) Out equipment performance requirements.

(a) *Definitions.* For the purposes of this section:

ADS-B Out is a function of an aircraft's onboard avionics that periodically broadcasts the aircraft's state vector (3-dimensional position and 3-dimensional velocity) and other required information as described in this section.

Navigation Accuracy Category for Position (NAC_p) specifies the accuracy of a reported aircraft's position, as defined in TSO-C166b and TSO-C154c.

Navigation Accuracy Category for Velocity (NAC_v) specifies the accuracy of a reported aircraft's velocity, as defined in TSO-C166b and TSO-C154c.

Navigation Integrity Category (NIC) specifies an integrity containment radius around an aircraft's reported position, as defined in TSO-C166b and TSO-C154c.